



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,112	10/11/2001	Greg Mercurio	CISCP715	1734

26541 7590 01/13/2005

RITTER, LANG & KAPLAN
12930 SARATOGA AE. SUITE D1
SARATOGA, CA 95070

EXAMINER

HAMZA, FARUK

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,112

Applicant(s)

MERCURIO, GREG

Examiner

Faruk Hamza

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This action is responsive to the application filed on October 11, 2001. Claims 1-28 are now pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 7,8,9,10,14,15 are rejected under 35 U.S.C. 112, first paragraph.

The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 7,8,9,10,14,15 contain "first device" which is not described in specification. Claims 8-16 are rejected because these are dependent claims of claim 7.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

5. Claims 1-11,13-24, 27 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Emery et al. (U.S. Patent Number 5,758,281).

6. Emery has disclosed:

- <Claim 1>

A wireless transceiver device, the wireless transceiver device being arranged to interface with a roaming device, the wireless transceiver device comprising:

computer code for causing static input information to be accepted;

(Column 19, lines 45-51)

a memory arranged to store data, the memory further including an editable field, (Column 19, lines 45-51) wherein the computer code for causing the static input information to be accepted causes the static input information to be stored in the editable field; (Column 19, lines 45-51)

computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the static input information stored in the editable field and the data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored on the memory; and (Column 19, lines 45-51)

a processor for executing the computer codes, wherein the memory is further arranged to store the computer codes. (Fig.3)

- <Claim 2>

The wireless transceiver device of claim 1 further including computer code for obtaining the data, wherein the data is obtained when the roaming device is in communication with the wireless transceiver device. (Column 15, lines 44-59).

- <Claim 3>

The wireless transceiver device of claim 2 wherein the computer code for causing the record associated with the roaming device to be generated includes computer code for causing the record associated with the roaming device to be generated when the roaming device registers with the wireless transceiver device. (Column 16, lines 24-34).

- <Claim 4>

The wireless transceiver device of claim 2 wherein the computer code for causing the record associated with the roaming device to be generated includes computer code for causing the record associated with the roaming device to be generated when the roaming device deregisters from the wireless transceiver device. (Column 19, lines 36-50).

- <Claim 5>

The wireless transceiver device of claim 1 wherein the static input information is a location associated with the wireless transceiver device, and the

Art Unit: 2155

computer code for causing the static input information to be accepted include computer code for causing the static input information to be accepted from a source that is external to the wireless transceiver device. (Column 20, lines 5-14).

- <Claim 6>

The wireless transceiver device of claim 1 wherein the wireless transceiver device is an access point. (Column 16, lines 7-23).

- <Claim 7>

A transceiver device, the transceiver device being arranged to interface with a first device, the transceiver device comprising:

means for accepting input information; (Column 19, lines 36-51)

means for storing data, the means for storing the data further including means for storing the input information in an editable field, wherein the means for accepting the input information includes means for providing the input information to the editable field; and (Column 19, lines 36-51)

means for generating a record associated with the first device, the record being arranged to include the input information stored in the editable field, wherein the means for storing the data further includes means for storing the record. (Column 19, lines 36-49).

- <Claim 8>

The transceiver device of claim 7 further including means for obtaining the data, wherein the data is obtained when the first device is in communication with the transceiver device. (Column 15, lines 44-59).

- <Claim 9>

The transceiver device of claim 8 wherein the means for generating the record include means for generating the record when the first device registers with the transceiver device. (Column 16, lines 7-34).

- <Claim 10>

The transceiver device of claim 8 wherein the means for generating the record include means for generating the record when the first device deregisters from the transceiver device. (Column 19, lines 36-50).

- <Claim 11>

The transceiver device of claim 7 wherein the input information is a location associated with the transceiver device. (Column 17, lines 18-25).

- <Claim 13>

The transceiver device of claim 7 wherein the transceiver device is an access point. (Column 16, lines 7-23).

- <Claim 14>

The transceiver device of claim 13 wherein the access point is a part of a wireless local area network, the transceiver device further including: means for obtaining the data from the first device when the first device is in communication with the transceiver device to access the wireless local area network. (Column 19, lines 27-51).

- <Claim 15>

The transceiver device of claim 14 wherein the means for generating the record associated with the first device includes means for placing the data obtained from the first device in the record and means for placing the input information stored in the editable field in the record. (Column 16, lines 24-34).

- <Claim 16>

The transceiver device of claim 15 wherein the means for generating the record further includes means for obtaining the input information from the editable field. (Column 19, lines 27-51)

- <Claim 17>

A method for utilizing a transceiver device, the transceiver device having a communications range, the method comprising:

receiving static information into an editable field stored in memory
associated with the transceiver device; (Column 19, lines 36-51)

storing the static information into the editable field; (Column 19, lines 36-
51)

receiving an indication that a roaming device is within the communications
range; (Column 8, lines 58-67)

creating a record, the record being arranged to include information
associated with the roaming device; (Column 19, lines 36-51)

adding the static information into the record; and

storing the record in the database. (Column 17, lines 54-62).

- <Claim 18>

The method of claim 17 wherein the static information is received from a
source external to the transceiver device. (Column 17, lines 54-62).

- <Claim 19>

The method of claim 17 wherein the record is created after the indication
that the roaming device is within the communications range is received. (Column
8, lines 58-67).

- <Claim 20>

The method of claim 17 wherein adding the static information into the record includes reading the static information from the editable field. (Column 19, lines 36-60)

- <Claim 21>

The method of claim 17 wherein the static information is information associated with a location of the transceiver device. (Column 17, lines 18-25).

- <Claim 22>

The method of claim 17 wherein the transceiver device is an access point. (Column 16, lines 7-23).

- <Claim 23>

The method of claim 17 further including:
obtaining the information associated with the roaming device when the indication that the roaming device is within the communications range is received. (Column 8, lines 58-67).

- <Claim 24>

A method of configuring an access point comprising:
positioning the access point at a desired location; (Column 26, lines 31-38).

determining an address of the desired location; and (Column 19, lines 51-60)

storing the address in a memory field, the memory field being associated with the access point. (Column 9, lines 1-21)

- <Claim 27>

The method of claim 24 wherein the memory field is an editable field, and storing the address in the memory field includes:

inputting the address into the access point. (Column 17, lines 18-25)

- <Claim 28>

The method of claim 27 wherein inputting the address into the transceiver device includes providing the address to the memory field. (Column 17, lines 18-25)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 12, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery as applied above, and further in view of Stewart et al. (U.S. Patent Number 6,414,635).

9. With respect to claim 12 and 25,
Emery teaches, locating and determining address of access point or transceiver device. (Emery, Column 9, lines 1-21). However, Emery explicitly doesn't teach including a longitude, a latitude and an altitude of location.

However, Stewart in an analogous art teaches including a longitude, a latitude and an altitude of location. (Stewart, Column 15, lines 9-17).
As to claim 12 Stewart teaches,

The transceiver device of claim 11 wherein the location includes at least one of a longitude, a latitude, and an altitude associated with the transceiver device. (Stewart, Column 15, lines 9-17).

10. Since the inventions disclosed in Emery and Stewart encompasses the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Emery by adding a longitude, a latitude and an altitude of location that makes the system useful for service provider. The incorporation of a longitude, a latitude and an

altitude of location in Emery would make the system versatile. (Stewart, Column 2, lines 47-49)

11. As to claim 25, the rational given above is applied in addition Stewart teaches:

The method of claim 24 wherein the address includes at least one of a longitude, a latitude, and an altitude of the desired location. (Stewart, Column 15, lines 9-17).

12. With respect to claim 26,

Emery teaches determining address (Emery, Column 19, lines 51-60).

However, doesn't explicitly indicate using of global positioning system receiver.

However, Stewart in an analogous art teaches using of Global Positioning System. (Stewart, Column 7, lines 35-40).

13. As to claim 26, Stewart teaches,

The method of claim 24 wherein the address is determined using a global positioning system receiver. (Stewart, Column 7, lines 35-40).

14. Since the inventions disclosed in Emery and Stewart encompasses the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Emery by

adding Global Positioning System. The incorporation of Global Positioning System in Emery would make the system versatile. (Stewart, Column 2, lines 47-49)

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Turunen (U.S. Patent Number 6,484,211) has disclosed Mobile internet protocol for mobility of access hosts between networks.
- Lee et al. (U.S. Patent Number 6,535,493) disclosed Mobile Internet Protocol.
- Sturniolo et al. (U.S. Patent Number 6,154,461) has disclosed Seamless Roaming among Multiple Networks.
- Shoobridge (U.S. Patent Number 6,633,769) has disclosed Wireless Access Point Software System.
- Dynarski et al. (U.S. Patent Number 6,466,571) has disclosed Radius-Based Mobile Internet Protocol.
- Ton (U.S. Patent Number 6,771,623) has disclosed Method for ensuring Reliable mobile IP Service.
- Kageyama (U.S. Patent Number 6,760,770) has disclosed Portable Information System for Receiving Information Via Communication Network.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER

Application/Control Number: 09/977,112
Art Unit: 2155

Page 15